

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

**Form 14. Motion for Extension of Time**

*Instructions for this form: <http://www.ca9.uscourts.gov/forms/form14instructions.pdf>*

**9th Cir. Case Number(s)** No. 24-7532

**Case Name** City and County of San Francisco v. Port of Oakland

**Requesting Party Name(s)** Port of Oakland

I am: ☐ The party requesting the extension.  
☒ Counsel for the party or parties requesting the extension.

I request an extension of time to file a:

- ☒ Brief (*you **must** also complete the Declaration on page 3*)
- ☐ Motion to proceed in forma pauperis
- ☐ Motion for a certificate of appealability
- ☐ Response/opposition to a pending motion
- ☐ Reply to a response/opposition to a pending motion
- ☐ Certified Administrative Record
- ☐ Response to court order dated
- ☐ Other (*you **must** describe the document*)

The requested new due date is: July 29, 2025

I request the extension of time because (**cannot be left blank**):  
*(attach additional pages if necessary)*

Please see Attachment A.

**Signature** s/Brandi B. Balanda **Date** June 26, 2025

*(use "s/[typed name]" to sign electronically-filed documents)*

*Feedback or questions about this form? Email us at [forms@ca9.uscourts.gov](mailto:forms@ca9.uscourts.gov)*

**Recitals in criminal and immigration cases pursuant to Circuit Rule 27-8***Complete this section for criminal or immigration cases.*

Previous requests for extension of time to file the document, including any request for a Streamlined Extension of Time under Circuit Rule 31-2.2(a) (*select one*):

- ☐ I have **NOT** filed a previous request to extend time to file the document.
- ☐ I have previously requested an extension of time to file the document.

This motion is my  request.

*(Examples: first, second)*

Bail/detention status (*select one*):

- ☐ The defendant is incarcerated. The projected release date is: .
- ☐ The petitioner is detained.
- ☐ The defendant/petitioner in this criminal/immigration case is at liberty.

**Signature**

**Date**

*(use "s/[typed name]" to sign electronically-filed documents)*

**Declaration in support of extension to file brief under Circuit Rule 31-2.2(b)***Complete this section if you are requesting an extension of time to file a brief.*

1. I request an extension of time to file the  brief.

*(Examples: opening, answering, reply, first cross-appeal)*

2. The brief's current due date is:

3. The brief's first due date was:

4. A more detailed explanation of why the extension of time to file the brief is necessary: *(Under Circuit Rule 31-2.2(b), a request for extension of time to file a brief must be "supported by a showing of diligence and substantial need" and a conclusory statement as to the press of business does not constitute such a showing. Attach additional pages if necessary.)*

Please see Attachment A.

5. The position of the other party/parties regarding this request is:

☒ Unopposed.

☐ Opposed by *(name of party/parties opposing this motion)*:

☐ Unknown. I am unable to verify the position of the other party/parties because:

6. ☒ The court reporter is not in default with regard to any designated transcripts.

If the court reporter is in default, please explain:

7. ☒ I have exercised diligence and I will file the brief within the time requested.

I declare under penalty of perjury that the foregoing is true and correct.

**Signature**

**Date**

*(use "s/[typed name]" to sign electronically-filed documents)*

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**ATTACHMENT A**

Good cause supports Defendant-Appellant Port of Oakland's unopposed request for a 14-day extension of time to serve its reply brief, which is currently due on July 15, 2025.

Counsel representing the Port of Oakland (the "Port") in this appeal have a combination of professional obligations and pre-planned personal responsibilities that will significantly limit their ability to prepare the reply brief under current schedule. More specifically, Port Deputy Attorney and lead in-house litigation counsel for the Port, Kimberly McIntyre is currently out of the country until July 7, 2025. The Port's lead outside counsel for this matter, Eugene Pak, is also currently out of the office on pre-planned out of state travel until July 7, 2025, as is the Port's outside appellate counsel, Therese Shanks. Mr. Willey, Port outside counsel, has several pre-existing case matters that must be addressed during the reply brief period for which he is lead, including an oral argument before this Court on July 10, 2025 in *Wells Fargo Bank, N.A. v. Santillana, et al.*, No. 24-4706. Ms. Balanda, Port outside counsel, also has several pre-existing case matters that must be addressed during the reply brief period for which she is lead, including multiple and voluminous discovery deadlines, pleading and motion deadlines, an oral argument on a preliminary injunction, and an anticipated Rule 30(b)(6) deposition. In addition, the federal Fourth of July holiday falls during this period as well, causing additional client and counsel schedule constraints.

On June 25, 2025, counsel for Plaintiff-Appellee, the City and County of San Francisco ("City"), informed counsel for Port that it does not oppose this request.

The Port has exercised diligence in seeking this extension. The Port is seeking the extension just two days after the City filed its Answering Brief, after promptly conferring with the City. If the extension is granted, the Port will file its Reply Brief no later than July 29, 2025. And, as noted, the City does not oppose this extension request.

Accordingly, the Port has shown diligence and substantial need for a 14-day extension of time to file its reply brief, and the Port respectfully asks the Court to grant this request.